

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 29

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

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AND INTERFERENCES

Ex parte THOMAS D. HENDERSON
and GEORGE W. BATES

Appeal No. 2002-1113
Application 09/013,645¹

ON BRIEF

Before THOMAS, BARRETT, and RUGGIERO, Administrative Patent Judges.

BARRETT, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134(a) from the final rejection of claims 1-3 and 8. Claims 4-7 have been canceled.

We affirm.

¹ Application for patent filed January 26, 1998, entitled "Landscape Camera System With Electronic Field of View Switching."

BACKGROUND

The invention relates to a closed circuit television system for an in flight entertainment system for an aircraft. One or more cameras provide multiple fields of view exterior to the aircraft and the passengers can independently select a desired field of view by operating a video camera control module.

Claim 1 is reproduced below.

1. A closed circuit television system for an in flight entertainment system for an aircraft, said system comprising:

an in flight entertainment local area network providing audio and video output;

at least one video camera providing a field of view forward and downward from the aircraft's centerline, said at least one video camera generating a digital video signal providing a plurality of video images;

a plurality of video display modules connected to said in flight entertainment local area network for selecting and displaying a selected video image;

a video camera module connected to said in flight entertainment local area network, said at least one video camera and said plurality of video display modules for receiving said digital video signal and providing a plurality of selected video images to said plurality of video display modules, respectively; and

a plurality of personal control units connected to said in flight entertainment local area network, each of said plurality of personal control units corresponding to respective ones of said plurality of video display modules and connected to said video camera control module for operating the video camera control module to independently select a desired field of view for each of said video display modules.

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The examiner relies on the following references:

Henderson et al. (Henderson)	5,440,337	August 8, 1995
Baker et al. (Baker)	5,508,734	April 16, 1996

Claims 1-3 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Henderson and Baker.

We refer to the final rejection (Paper No. 17) (pages referred to as "FR__") and the examiner's answer (Paper No. 22) (pages referred to as "EA__") for a statement of the examiner's rejection, and to the appeal brief (Paper No. 21) (pages referred to as "Br__") and reply brief (Paper No. 23) (pages referred to as "RBr__") for a statement of appellants' arguments thereagainst.²

OPINION

Claims 1-3 and 8 are argued to stand or fall together (Br7).

The examiner finds that Henderson discloses a multi-camera closed circuit television system for an in flight entertainment

² The examiner entered a supplemental examiner's answer (Paper No. 25) to clarify the rejection of claim 3. Appellants filed a supplemental reply brief (Paper No. 26) stating that the supplemental examiner's answer was improper under 37 CFR § 1.193(b)(1) because it was not entered pursuant to a remand by the Board and should not be entered or considered. The application was remanded (Paper No. 27) by a panel of the Board at the request of the Office of the Deputy Commissioner for Patent Examination Policy so that the issues can be reconsidered. We interpret the remand to be a remand under 37 CFR § 1.193(b)(1) to give the examiner the opportunity to properly enter the supplemental examiner's answer. However, the examiner vacated the supplemental examiner's answer and stated that he is relying on the original examiner's answer (Paper No. 28). Accordingly, we do not consider the supplemental examiner's answer. In any case, appellants do not argue claim 3 separately.

system for an aircraft having at least one video camera providing a field of view forward and downward (EA4). There is no dispute as to this finding and, in fact, U.S. Patent 5,574,497, discussed as prior art in appellants' Figs. 1 and 2, specification, pp. 1-2, issued from a continuation of Henderson. Henderson discloses that in flight entertainment systems have gone to individual viewing screens for the passengers who can select from a variety of sources representing different video sources (col. 1, lines 14-33). Thus, Henderson implicitly discloses an in flight entertainment system providing audio and video output, and a plurality of video display modules connected to the system for selecting and displaying a selected video image. Henderson discloses two video cameras providing forward and downward fields of view and a system control unit (SCU) (Fig. 4) for receiving the video signals and providing them to the entertainment system. Although Henderson discloses only a single SCU in the flight deck of the aircraft for allowing a member of the flight crew to control the functional aspects of the system, such as switching between the forward and downward looking cameras and lens zoom in and out (col. 8, lines 9-16), it is still a video camera control module "for providing a plurality of selected video images to said plurality of video display modules."

The examiner finds that Henderson discloses an "in flight entertainment local area network providing video output and the

in flight entertainment local area network connected to a video camera control module (see Figure 5 and column 5, line 4 to column 6, line 25)" (EA4). The finding is not contested. While the term "local area network" usually implies a digital computer network, it is apparently not contested that the term is broad enough to read on a communications network that serves users within a confined geographical area, such as the in flight entertainment network implicit in Henderson, or appellants may just not be arguing the limitation because a digital bus is shown in the secondary reference to Baker.

The examiner finds (EA4-5) that Henderson does not disclose the following limitations of claim 1: (1) a plurality of video display modules; (2) a video camera control module; (3) the at least one video camera generating a digital video signal providing a plurality of video images; (4) a plurality of personal control units each connected to respective video display modules and the video camera control module; and (5) the in flight entertainment local area network providing audio output and connected to a plurality of video display monitors and a plurality of personal control units. While we find that Henderson discloses many of these limitations, appellants only specifically challenge the examiner's position regarding the personal control units and their connections and we agree that this is the real limitation in question. Appellants do not

challenge the motivation to combine the references. Arguments not raised are waived. See 37 CFR § 1.192(c)(8)(iv) (1998) (brief must point out errors in the rejection); cf. In re Baxter Travenol Labs., 952 F.2d 388, 391, 21 USPQ2d 1281, 1285 (Fed. Cir. 1991) ("It is not the function of this court to examine the claims in greater detail than argued by an appellant, looking for nonobvious distinctions over the prior art.").

In the final rejection, the examiner stated, without explanation, that "Baker et al shows a plurality of video display modules and a plurality of personal control units (see Figure 8)" (FR2). Appellants argued in their appeal brief that Fig. 8 does not show personal control units (Br8-10). In the examiner's answer, the examiner explains for the first time his reasoning regarding Fig. 8 which largely moots the arguments in the brief.

The examiner cites Baker as showing a plurality of video display modules, a video camera control module, and personal control units in Fig. 8 (EA5-6). The examiner finds that the claimed "video display modules" correspond to the displays attached to the random access memory digital-to-analog converters (RAMDACs) 78 in Fig. 8. This finding is not contested. Since Henderson discloses that the passengers may select from a variety of channels representing different video sources (col. 1, lines 14-33), the "selecting" function of the video display module is in Henderson. The examiner finds that the claimed

"video camera control module" corresponds to the image processing subsystems 80. This does not appear to be contested. The image circuits 80, taken collectively, perform the claimed function of "receiving said digital video signal and providing a plurality of selected video images to said plurality of video display modules." With this background, we discuss the argued issue of the "personal control units."

The examiner states (EA8-9; see also statement of the rejection at EA5-6):

[S]ince image transformations within Baker et al such as pans, up/downs, zooms, tilts, rotations, etc. are being processed/controlled by either human or computer input operations within, for example, a video camera control module 80, such input operations are provided via a personal control unit being attached to each of the video control modules 80, [] thus providing a plurality of personal control units corresponding to respective ones of the plurality of video display modules (see column 12, lines 28-41 and column 13, lines 8-31 of Baker et al). In other words, each one of the displays shown in Figure 8 of Baker et al is being controlled by a respective user for providing the desired images, and since each user has the capabilities of manipulating the images, personal control units are obviously being provided for the video control modules 80 for such manipulations.

Appellants argue that while Baker discloses a transform processor engine 22 for user controls at column 6, lines 40-49, and in Fig. 1, "Baker et al. does not provided [sic] for more than one transform processor engine" (RBr2). It is argued that "the Examiner has mistakenly assumed that each of the displays of Baker et al. would be individually controlled by a different individual user, to support the conclusion that multiple personal

control units would be provided for the multiple image processing subsystems" (RBr3). Appellants argue that Baker contains no motivation for providing a plurality of personal control units because Baker is described as relating to wide angle hemispheric scenes of displaying on a screen or a collection of screens that covers almost 360 field of view, and using abutting subimages (Br9-10; RBr4).

We find that Baker reasonably suggests a plurality of personal control units. Baker discloses user controls as part of a transform processor 22 at column 6, lines 40-49, and in Fig. 1 for a single user. The transform processor 22 is shown in more detail in Fig. 6 (col. 10, line 61 to col. 12, line 41). It is disclosed that image transformations in the image processor 22 can be performed in real time and "[t]hese transformations include, but are not limited to pans, up/downs, zooms, tilts, rotations, scaling, cropping and image shear, which can be controlled using human or computer input" (emphasis added) (col. 12, lines 32-36). Thus, the transforms can be controlled by human input even though no input controls are illustrated in Fig. 6. Figure 7 shows the transform processor circuits collected into a simplified single image processing subsystem 80. Since this merely simplifies the drawing, the description of controlling transformations using human or computer input with respect to Fig. 6 still applies. Figure 8 shows multiple image


processing subsystems 80 which permit multiple different outputs. It is at least reasonably suggested to one of ordinary skill in the art that the transformation in each image processing system 80 can be controlled by human or computer input in view of the disclosure with respect to the single image processing system in Fig. 6. While there are no user input controls shown in Fig. 8, no input controls are shown in Fig. 6. Accordingly, Baker, when read as a whole, fairly suggests to one of ordinary skill in the art allowing multiple users to independently select images from a single image source, where the multiple user input controls would be the personal control units. We agree with appellant that Baker, when read in conjunction with the background at column 1, lines 31-34, suggests that the displays in Fig. 8 could be part of a screen or a collection of screens that covers a 360 field of view. However, the description of Fig. 8 does not describe this application and is not limited to this one application. Because Baxter suggests multiple personal control units, and because appellants' arguments are limited to this one issue, the rejection of claims 1-3 and 8 is sustained.

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No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a).

AFFIRMED

JAMES D. THOMAS
Administrative Patent Judge


LEE E. BARRETT
Administrative Patent Judge

Joseph F. Ruggiero
JOSEPH F. RUGGIERO
Administrative Patent Judge

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